

# RAILROAD BILL UP IN BOTH BRANCHES

## ATTACK MADE IN THE SENATE

LaFollette Arraigns the Legislature of Massachusetts for Permitting Merger of Boston and Maine With New Haven

## SENATORS LODGE AND GALLINGER IN DEFENSE

Administration Measure Presented by Chairman Mann in the House, and the Debate Opened in Behalf of Majority

## MUCH ATTENTION GIVEN

WASHINGTON, April 12.—Incidental to the consideration of the administration railroad bill, the merger of the Boston & Maine railroad with the New York, New Haven & Hartford railroad through the Massachusetts holding law, was discussed at length in the Senate today.

The principal speech attacking the consolidation in unassisted language was made by Senator LaFollette, and consumed the latter part of the day's session. Brief responses by Senator Lodge and Senator Gallinger were made at the close of the Wisconsin senator's speech. Both the New England senators defended the merger and upheld the law under which it was made.

Mr. LaFollette presented this transaction in great detail to illustrate the possible effect of the enactment in law of the merger provision of the pending railroad bill. He gave special attention to the Massachusetts legislation under which the combination was made effective.

It was practically charged by the senator that this enactment had been consummated at the dictation of President Mellen of the New Haven road, who, he intimated, represented the Morgan-Rockefeller interests. He quoted from a member of the Massachusetts legislature a statement that Governor Draper had recommended an ultimatum from the New Haven interests. He undertook to show that the federal merger suit, instituted during the Roosevelt administration, had been dismissed at the dictation of the administration.

The argument covered a wide range of accusation, but aside from the speaker's desire to hold aloft the merger as a bad example, the evidence was used to contrast the Roosevelt administration, to the disadvantage of the former. Mr. LaFollette's criticism of the Massachusetts legislation was especially stringent and pointed. The responses by Messrs. Lodge and Gallinger were just as positive in his defense. Both the New England senators defended the attorney general as a lawyer and as a man.

## Railroad Bill in House.

With about 20 members in their seats, the administration railroad bill was taken for consideration by the House today. Speaker Cannon called to the chair Representative Bennett of New York, who presided over the committee of the whole while Mr. Mann of Illinois, chairman of the committee on interstate and foreign commerce, reported from his committee.

The large number of Republicans and Democrats who listened attentively to the Illinois member gave evidence of the importance attached to the measure.

In discussing the commerce bill which he had opposed in committee as unnecessary, Mr. Mann pointed out the difference between executive and judicial functions in the jurisdiction of the courts and the interstate commerce commission, and described the delay under present judicial procedure as sometimes amounting to confiscation of the property involved, which the proposed commerce act is designed to prevent.

Referring to the fixed rotation in the personnel of the proposed court, Mr. Mann said that he was not "amazed" at that provision. It had been put into the bill to prevent the possibility of the court being packed by life members, with a possible minority fixed on the court, perhaps leaning toward the interest of the railroads.

"I mean nothing sinister by that," he added in response to questions from members. "I am not speaking of intentional packing."

# ROOSEVELT IS NOT TALKING ABOUT IT

## Pleasant Meeting With the Former Chief Forester Which Does Not Indicate Any Future Intention

Porto Maurizio, April 12.—After spending a second day with Mr. Roosevelt, the afternoon being occupied in another long tramp into the mountains, Gifford Pinchot left for Zurich tonight, seemingly in a happy state of mind. He still declined to make any statement with reference to his conference with the ex-President, but his beaming countenance was as eloquent as words. "Will you say whether you are satisfied with the result of your visit?" was asked, but Mr. Pinchot only smiled broadly.

Mr. Roosevelt evidently is not greatly exercised over conclusions that may be drawn in the United States from the announcement made today that he had accepted an invitation from the former chief forester to address the National Conservation congress this summer.

"My actions are frequently misunderstood," he said, speaking of the matter better in his pocket than in the press. "I am interested in the conservation movement and in no wise have been deterred by the trouble that has occurred in the department. He said he would not speak of the past, but of the future."

Mr. and Mrs. Roosevelt dined alone with Miss Carver at the Carver villa, and spent a quiet evening. Hermit, with several friends, took a motor trip along the coast, extending the journey beyond the French frontier to Monte Carlo, where he dined and passed the evening.

The police investigation shows the man Magagnoli, who last night was found prowling about the villa with a revolver in his pocket, addressed to Mr. Roosevelt asking for a position as valet, is a harmless vagabond, having no connection with the anarchist.

Ex-Mayor Phelan of San Francisco, who was expected to visit the ex-president today, failed to put in an appearance.

The business men of Porto Maurizio have seized the occasion of Mr. Roosevelt's presence and the honorary citizenship conferred upon him to launch a boom for the town, which they hope will soon become the resort of the Italian Riviera and attract foreign visitors, especially Americans.

This afternoon they inaugurated a big scheme to transfer the little harbor into a great port, to be rechristened "Porto Umberto."

After all these months of evidence," said the judge, "I conclude this vast conspiracy which was alleged to have been arranged and which embraced the stealing of postoffice stamps, forging of letters, subordination of perjury and other similar crimes, to be without foundation and it vanishes in thin air. It had its origin in the romantic imagination of the counsel for the petitioner and has no foundation. Professional detectives have collected evidence which must be regarded as true. The photographs purported to be those of Thomas J. Roosevelt of Massena, N. Y., must also be regarded as genuine."

"Neither the respondents (F. C. Almy and William C. Russell) nor their counsel have been anything except honest in their defense of the Russell estate against an imposter and a dishonest claimant. And, finally, I find that none of three petitions now before this court were brought by Daniel Blake Russell, but by one who attempted to impersonate him and defraud Russell's estate. The petitions are therefore dismissed."

Senator Simpson will have sixty days to file a petition for an appeal, which it allowed him to bring the case before the supreme court and a trial before a jury probably next fall.

Meanwhile it is expected the claimant from Fresno, Cal., will file his petition in the probate court, and it is possible it may reach a hearing at the end of six months.

## INJUNCTION ISSUED

Judge McPherson Restrains Officers From Seizing Bleached Flour.

Keokuk, Iowa, April 12.—Judge McPherson, in the federal court, issued today a restraining order, this afternoon which will prevent United States officials in his district from seizing any bleached flour shipped by the Shawnee Milling company of Topeka, Kan.

He will hear arguments on the demurrer filed by District Attorney Tomlinson.

The court stated that he probably would withhold decision as the demurrer until he heard from Attorney Smith of Omaha, but added that he was convinced that arguments favoring the millers he would pass on the demurrer at once.

The standing of his counsel, former City Solicitor W. B. Rodgers, who promised to produce his client when extradition was granted.

Refusing to strike down the entire array of talesmen serving on the grand jury because Harrison Nesbitt, the former national bank examiner, was alleged to be incompetent to serve, as he is not a qualified elector under the act of 1867, Judge Robert S. Frazer today administered another blow at the bulwarks of the defense. The question was raised by Attorney W. J. Brennan.

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# TRUSTS OVER ROBERT S. LOVETT

## Bill Introduced in Canadian Parliament by the Minister of Labor Providing for the Appointment of Commission.

## JUDGE OF A SUPERIOR COURT THIRD MEMBER

Object Is Not to Do Away With Trusts or Combinations Entirely, but to Insure People Share in the Profits.

## SCOPE OF THE MEASURE

OTTAWA, April 12.—Regulation of trusts is the subject of a government bill which Mackenzie King, minister of labor, offered today for adoption by the Canadian parliament. The bill provides where a trust is operating unduly to enhance prices, or for restraint of trade, a commission shall be appointed with power to make a thorough investigation.

There will be three commissioners, one nominated by the parties making the complaint, one by the trust company against, while the third, who is to be the chairman, must be a judge of a superior court.

If it is found the complaint is justified, the commission shall advise measures to correct the abuses, or they may advise that the tariff protection on the articles produced by the trust be revoked. If the trust does not obey the finding by the commission, it shall be fined a thousand dollars a day until it obeys.

In urging approval of the bill, Mr. King said its object was not to do away with trusts and combinations. A lesson had been taken from the experiences of the United States, as it had been found impossible to enforce the Sherman law without destroying business.

The purpose of the Canadian bill, Mr. King continued, was to insure the people a share in the benefits resulting from combinations, and to see that trusts did not take advantage of their control of lines of production improperly to raise prices.

## FIENDISH ATTACK ON SAN FRANCISCO GIRL

Sulphuric Acid Thrown in the Face of Ruth Wilson, Who Loses Eyesight.

San Francisco, April 12.—Suddenly attacked in broad daylight by an unknown man who dashed a quantity of sulphuric acid into her face, Miss Ruth Wilson, 18 years old, daughter of Joseph Wilson, general deputy of the National Union for the district of California, lies in a local hospital suffering terrible agony from the burns on her face and neck. The sight of one eye is destroyed and the doctors say that it is hardly probable that the other eye will be saved. She probably will be blind as a result of her experience. Her assailant escaped and the detectives have been unable to find any trace of him. The girl is not able to give a coherent account of the assault. The police are making an effort to locate a high school student whose attentions were objectionable to the girl.

Miss Wilson was late this afternoon passing along Sutter street, opposite the Cosmo club, and only a short distance from her home. She was called to her. The girl turned and in another instant a stream of burning fluid struck her full in the face. It ate its way into her eyes and filled her mouth, scorching her throat and burning her face and neck. She fell to the sidewalk and was picked up by passers-by, who carried her to a doctor's office.

Miss Wilson was a student at the Lowell high school until recently and was known for her beauty.

## WITNESS KNOCKED OUT

"Black Jacking" of Walter L. Clark, Who Turned State's Evidence in Heinze Stock Theft Case.

New York, April 12.—The "black jacking" of Walter L. Clark, which prevented the beginning yesterday of the Heinze copper stock theft trials, had its sequel today, in the arrest of Charles Katz, one of the three men indicted with Donald Persch, at whose trial Clark, having turned state's evidence, was to be a witness.

District Attorney Whitman declared he was convinced that the assault was an attempt to obstruct justice, and today he caused the arrest of Katz.

When Katz was arraigned, a detective made an affidavit charging Katz with felonious assault.

Bail for Katz was fixed at \$5,000. He is already under \$25,000 bonds in connection with the alleged theft of copper stock.

The trial of Persch was begun today, after the prisoner's lawyers had vainly attempted to have him discharged on account of alleged prejudice to his case through the publicity given the Clark assault. Supreme Court Justice Marcus denied the motion for the jury's disqualification, as well as an application for time to apply for a change of venue.

## LAMONI NEXT YEAR

Josephites Now Holding Conference at Independence, Mo.

Kansas City, April 12.—Delegates to the general conference of the Reorganized Church of Latter-day Saints, in session at Independence, Mo., decided last night to hold the next general conference at Lamoni, Iowa. The conference will meet there April 6, 1911. The bishops' report given at the conference today provided for the election of an office building in Independence for the office of the church. The report was adopted, and work on the building will commence the following year.

# ROBERT S. LOVETT IS DUE HERE SOON

## DICTATOR OF HUGE SYSTEM

Many Grave Problems to Be Settled by Harriman's Successor on This Trip to the Far West.

## SANTA FE CONFERENCE BROUGHT FINE RESULTS

Concessions to Western Pacific Will Be of Immense Benefit to Territory Contiguous to Gould's New Route.

## TO DISCUSS LUCIN CUT-OFF

PRESIDENT ROBERT S. LOVETT of the Southern Pacific railroad is due to arrive in Salt Lake either today or tomorrow. His coming at this time is significant, in that there are many perplexing subjects to be taken up with officials of the Oregon Short Line.

President Lovett will have to deal with the Lucin cut-off proposition, safeguarding against further destruction of the road by floods in Nevada, the proposed connection of the Union Pacific with the Southern Pacific from Granger, Wyo., via Durango, Colo., to the southern route, and many lesser problems, which are kept as secrets in the family closet of a great railroad system.

Fresh from his momentous conference with President Ripley of the Santa Fe at Los Angeles the other day, President Lovett, who is shouldering the cares of the Harriman line, may probably make some announcements when he reaches Salt Lake which will startle the railroad world. Maybe he won't.

In any event, his visit to Salt Lake at this time is looked upon as important in more ways than one.

One of the most important matters agreed upon in the Los Angeles conference was the promise of the Southern Pacific and Santa Fe to give the Western Pacific joint rates. This has much of a local application.

President Lovett's visit may also have the effect of more vigorously pushing the work of repairing the washed out track on the Salt Lake Route and the opening of the large interchange of data than now seems to be on the cards.

Conference With Ripley. Another important matter settled in Los Angeles as a result of the Lovett-Ripley conference was the understanding that the 10-mile gap in the main line of the Northwestern Pacific from Willits, Cal., north to Shively, will be closed by construction of a new line. The Santa Fe being given the right to run its passenger trains over the tracks of the Northwestern Pacific between Mojave and Los Angeles remains in a tentative state. Several matters in Texas, where both companies have large interests, are also left unsettled.

Lovett and Ripley met under changed conditions. The Harriman personal influence is no longer felt in the Santa Fe board of directors. The so-called "Harriman influence" no longer owns a big block of Santa Fe stock, which entitled it to two directors. That \$300,000 of stock has been sold, and the board is now made up of men who are not so much interested in the Santa Fe as the Harrimans were. There are many things the Santa Fe may do today or next week which there was no chance of doing when Harriman was in the saddle and buying stock of the company.

Both Ripley and Lovett officially are in the same boat. They represent before the public the bankers in control of their properties. They advise with the bankers. In the end they do what the men of finance want done.

Northwestern Pacific. The Southern Pacific and Santa Fe own jointly the Northwestern Pacific road. The bankers behind all the properties think the time is ripe to round out the system. This is why Lovett and Ripley agreed to build the Wendling-Headburg gap and the bridge over the Colorado river. The counties of Mendocino and Humboldt in California contain the greatest redwood forest district in the world. The timber experts for the road estimate that 200 carloads of lumber from the forest can be shipped daily to the east for a period of a hundred years without destroying the forest, if proper forestation methods are used.

The Headburg-Albion road will connect the two lines.

(Continued on Page Three.)

# EXTRADITION PAPERS MADE OUT FOR FRANK HOFFSTOT

## Counsel for Alleged Pittsburg Briber Promises to Produce Him in Court.

Pittsburg, April 12.—All further probing of councilmanic bribery was temporarily suspended by the adjournment of the special grand jury until Monday. In the meantime, it is expected Frank N. Hoffstot, president of the Pressed Steel Car company and of the Second National bank, now under indictment in connection with the bribery of councilmen, will be brought from New York to answer indictments already found.

Extradition papers were made out today and tonight an assistant district attorney left for Harrisburg, where Governor Stuart is expected to sign them tomorrow.

The papers will then be presented to Governor Hughes at Albany, probably on Thursday.

# COOK'S VARN EXPLODED

## Mount McKinley Ascended by Party of Alaskans, but No Records Found at the Top.

Fairbanks, Alaska, April 12.—The Fairbanks expedition to Mount McKinley, the tallest peak in North America, reached the summit April 3, after a climb of one month from the base. No traces of Dr. Frederick A. Cook's alleged ascent were found.

Thomas Lloyd, leader of the expedition, arrived here last night. His companions were Daniel Patterson, W. R. Taylor and Charles McGonigle, and all reached the top of the great mountain.

The expedition, which left Fairbanks December 15, without the controversy over Dr. Cook's disputed ascent was still raging, was financed by Gus Peterson and William McPhie of this city. The plan was to go into camp on the mountain as high as possible, and probably about the middle of May, make a dash for the summit.

# NO DIFFERENCE IN THEIR EXPERIENCE IN THIS LIFE

## Captain Ashton Potter and Mrs. Grace Goodyear Depew Waiting to Get Married.

Colorado Springs, Colo., April 12.—After "waiting at the church," figuratively, for thirty-six hours, for the bridegroom's divorce decree to be signed in San Francisco, it was announced tonight that Mrs. Grace Goodyear Depew and Captain Ashton Potter will be married tomorrow, by which time it is expected the California courts will have formally declared Captain Potter free to wed.

The wedding had been fixed for yesterday, under the supposition that on that day twelve months would have elapsed since Mrs. Potter secured a preliminary decree of divorce in the San Francisco courts, and that the final decree would be signed in accordance with the California statutes, which declare a final decree of divorce shall not be issued inside twelve months after the granting of the preliminary decree.

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